

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JAMES DONALD VANCE, Jr.,

Plaintiff,

Hon. Robert J. Jonker

v.

Case No. 1:18-cv-1188

GRAND RAPIDS HOUSING  
COMMISSION,

Defendant.

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**REPORT AND RECOMMENDATION**

This is a civil rights action brought under 42 U.S.C. § 1983. Plaintiff filed his complaint on October 22, 2018. (ECF No.1). Plaintiff also filed a financial application to proceed *in forma pauperis*, without prepaying fees or costs. (ECF No. 2). Chief Judge Jonker has referred this application to me. For the following reasons, I recommend that plaintiff's application to proceed *in forma pauperis* be denied.

This is not a proper case for *IFP* status for two reasons. First, plaintiff is suing for relief under a federal statute that includes a cost-shifting provision should he prevail. Moreover, a review of plaintiff's financial affidavit reveals that he has more than twice the amount of the filing fee in his checking account. (See ECF No. 2, PageID.5). Plaintiff also reports that he has more than \$100 each month in discretionary income. (*Id.*, PageID.8). Accordingly, it appears that plaintiff has sufficient funds to pay the filing fee in this matter.

Dated: October 30, 2018

/s/ Phillip J. Green

PHILLIP J. GREEN

United States Magistrate Judge

**NOTICE TO PARTIES**

ANY OBJECTIONS to this Report and Recommendation must be filed and served within fourteen days of service of this notice on you. 28 U.S.C. § 636(b)(1)(C); FED. R. CIV. P. 72(b). All objections and responses to objections are governed by W.D. MICH. LCIVR 72.3(b). Failure to file timely and specific objections may constitute a waiver of any further right of appeal. See *Thomas v. Arn*, 474 U.S. 140 (1985); *Keeling v. Warden, Lebanon Corr. Inst.*, 673 F.3d 452, 458 (6th Cir. 2012); *United States v. Branch*, 537 F.3d 582, 587 (6th Cir. 2008). General objections do not suffice. See *McClanahan v. Comm'r of Social Security*, 474 F.3d 830, 837 (6th Cir. 2006); *Frontier Ins. Co. v. Blaty*, 454 F.3d 590, 596-97 (6th Cir. 2006).